

REMARKS

Claims 1-12 and 35 are pending and rejected.

35 U.S.C. §103

Claims 1, 2 and 35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ross et al. (U.S. Pat. 3,748,830) in view of Alger et al. (U.S. Pat. 6,893,487) and Riggan (U.S. Pat. 3,397,682).

Ross is directed to a device for removing pollutants from waste combustion gases from an internal combustion engine of an automobile. Likewise, Riggan is directed to a device for treating exhaust gases emitted from internal combustion engines. Alger is similarly directed to an aftertreatment system for treating exhaust of a power source.

According to the Office action, the Ross compressor 10 or compressor 62 is a compressor receiving the flow of fuel. The Applicant respectfully traverses this characterization of Ross. The compressor 10 and the compressor 62 are part of the refrigerant cooling system. Each receives and compresses a flow of refrigerant. There is no suggestion in Ross that either compressor 10 or 62 is in fluid communication with the muffler 29 to increase the pressure of a flow of fuel therethrough (assuming, for the sake of argument, that the spent by-products flowing through the Ross device are a "fuel" as recited in the claims). Therefore, Ross fails to teach or suggest "a compressor in fluid communication with the inlet cleaner, the compressor receiving the flow of fuel at a first pressure and discharging the flow of fuel at a second pressure, the second pressure being greater than the first pressure" as recited in claims 1 and 35. Neither Riggan nor Alger teaches or suggests compressing the flow of exhaust gases from the inlet. Reconsideration and withdrawal of the rejection is respectfully requested for this reason as well.

Further regarding Ross, according to the Office action, the muffler 29 is an inlet cleaner operable to remove a portion of the undesirable compounds. The Applicant respectfully traverses this characterization of Ross. Rather, the muffler 29 is provided to cool the exhaust gas prior to entering the scrubbing system. According to Ross, the temperature of the muffler 29 is 125 – 250 degrees F. There is no suggestion in Ross that cooling the exhaust gas in the muffler causes undesirable compounds to be removed. Therefore, Ross fails to teach or suggest "an inlet cleaner in fluid communication with the inlet and operable to remove a portion of the undesirable compounds" as recited in claim 1. Neither Riggan nor Ross teaches or suggests "an inlet cleaner

in fluid communication with the inlet and operable to remove a portion of the undesirable compounds" as recited in claim 1. Reconsideration and withdrawal of the rejection is respectfully requested for this reason as well.

A fuel conditioning skid according to claims 1 or 35 is operable to remove fluids, including water, from a flow of fuel. This can take place at the inlet cleaner and the purifier. In contrast, Ross describes intentionally injecting liquids such as water into the gas flow prior to the purifier. *See* Col. 9, lines 45-60. This provides additional liquids to freeze to promote removal of undesirable constituents.

Ross further describes that the sequential arrangement of a chilling purifier 20 and a collection chamber 26 will first collect the undesirable compounds (pollutants) with the aid of the ice and then accumulate the ice (and undesirable compounds) downstream. However, Applicant believes that one of skill in the art would understand that instead, ice will not "slough" from the chilled purifier and flow downstream, but rather the ice will continue to accumulate in the chiller, narrowing the flow passages and increasing the pressure drop through the chilled purifier. Eventually the pressure drop will become excessive (up to and including full blockage), inhibiting the apparatus performance. The claimed invention solves this problem with dual, parallel chilled purifiers by alternately chilling and thawing to prevent ice build-up to the point of blockage.

Claim 2 depends from claim 1 and is allowable for at least that reason. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 5-7 and 9-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ross in view of Alger and Riggan as applied to claims 1 and 2, and further in view of Koethe (US Patent 6,360,730). Claims 5-7 and 9-12 depend from claim 1 and are allowable for at least that reason, as Koethe fails to remedy the deficiencies discussed above with respect to claim 1. Furthermore, the Applicant respectfully asserts that there is no motivation to combine the teachings of Ross, Riggan and Alger with Koethe. The Ross, Riggan and Alger references are directed to exhaust treatment systems for internal combustion engines. In contrast, Koethe is directed to a system for supercooling a flow of pressurized liquid jet fuel. One of skill in the art would not look to the teachings of the Koethe reference to modify the Ross, Riggan and Alger references. Reconsideration and withdrawal of the rejections is respectfully requested.

Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ross in view of Alger and Riggan as applied to claims 1 and 2, and further in view of Provost (US Patent 5,722,229). Claim 3 depends from claim 1 and is allowable for at least that reason, as Provost fails to remedy the deficiencies discussed above with respect to claim 1. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ross in view of Alger, Riggan and Koethe as applied to claims 1, 26 and 7, and further in view of Provost. Claim 8 depends from claim 1 and is allowable for at least that reason, as Provost fails to remedy the deficiencies discussed above with respect to claim 1. Reconsideration and withdrawal of the rejection is respectfully requested.

CONCLUSION

Entry of this response and allowance of the claims is respectfully requested. The Examiner is invited to contact the undersigned with any questions.

Respectfully submitted,

Dana J. Zelazny
Reg. No. 58,406

Docket No.: 031383-9083-01
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560

T:\CLIENT\A\031383\9083\VA2576801.1